

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**MKM HEALTHCARE SOLUTIONS LLC,  
*et. al.***

Plaintiffs,

v.

**BIOTRONIK INCORPORATED,**

Defendant.

Case No. 3:20-cv-1495-SI

**ORDER**

**Michael H. Simon, District Judge.**

This case was originally filed in the U.S. District Court for the District of Arizona.

Defendant Biotronik Incorporated filed a motion to transfer venue, which the District of Arizona granted. The District of Arizona transferred the case to this Court. Defendant Biotronik Incorporated also moved to compel arbitration based on a contractual arbitration clause. The briefing on that motion has not yet been completed.

On October 7, 2020, the parties filed a joint stipulated motion requesting that the Court order that this case be resolved through arbitration with the Arbitration Service of Portland, Oregon, and dismiss the case. The parties expressly reserve their respective rights to seek and recover all attorney's fees and costs incurred in this action, including fees and costs incurred in connection with the Motion to Transfer Venue and Motion to Compel Arbitration.

The parties' stipulated motion (ECF 43) is GRANTED. Plaintiffs are directed to resolve their claims raised in this case in arbitration before the Arbitration Service of Portland, Oregon. The issue of attorney's fees is expressly reserved. This case is dismissed without prejudice. In light of this Order, Defendant's Motion to Compel Arbitration (ECF 20) is DENIED AS MOOT.

**IT IS SO ORDERED.**

DATED this 8th day of October, 2020.

/s/ *Michael H. Simon*  
Michael H. Simon  
United States District Judge